

House Bill 984 (AS PASSED HOUSE AND SENATE)

By: Representatives Cox of the 102nd, Carter of the 175th, Jerguson of the 22nd, Sheldon of the 105th, and Coan of the 101st

A BILL TO BE ENTITLED
AN ACT

To amend Article 1 of Chapter 5 of Title 49 of the Official Code of Georgia Annotated, relating to children and youth services, so as to revise definitions and add a new definition relating to children's transition care centers; to change certain provisions relating to licensing and inspection of child welfare agencies; to amend Code Section 49-2-14.1 of the Official Code of Georgia Annotated, relating to background check requirements for certain facilities, so as to revise a definition; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Article 1 of Chapter 5 of Title 49 of the Official Code of Georgia Annotated, relating to children and youth services, is amended by revising paragraph (4) of Code Section 49-5-3, relating to definitions, as follows:

~~"(4) Reserved: 'Children's transition care center' means a transition center which~~
provides a temporary, home-like environment for medically fragile children, technology dependent children, and children with special health care needs, up to 21 years of age, who are deemed clinically stable by a physician but dependent on life-sustaining medications, treatments, and equipment and who require assistance with activities of daily living to facilitate transitions from a hospital or other facility to a home or other appropriate setting. Such centers are designated sites that provide child placing services and nursing care, clinical support services, and therapies for short-term stays of one to 14 days and for longer stays of up to 90 days to facilitate transitions of children to homes or other appropriate settings. Extended stays of up to 12 months may be approved by the department by waiver."

SECTION 2.

Said article is further amended by revising subsections (a) and (i) of Code Section 49-5-12, relating to licensing and inspection of child welfare agencies, and adding a new subsection to read as follows:

"(a) As used in this Code section, the term 'child welfare agency' means any child-caring institution, child-placing agency, children's transition care center, or maternity home."

"(i) Child-caring institutions and child-placing agencies, when licensed in accordance with this Code section, may receive needy or dependent children from their parents, guardians, custodians, or persons serving in loco parentis for special, temporary, or continued care.

Parents, guardians, custodians, or persons serving in loco parentis to such children may sign releases or agreements giving to such institutions or agencies custody and control over such children during the period of care. Children's transition care centers may receive medically fragile children from their parents, guardians, custodians, or persons serving in loco parentis for special, temporary, or continued care to facilitate transitions from a hospital or other facility to a home or other appropriate setting.

(i.1) A children's transition care center shall serve no more than six children per residence or 16 children per campus at a time. Children's transition care center services shall be available to all families in this state, including those whose care is paid for through the Department of Community Health or the Department of Human Resources or by insurance companies that cover home health care services or private duty nursing care in the home. Each children's transition care center location shall be physically separate and apart from any other facility licensed by the Department of Human Resources under this chapter and shall provide one or more of the following services: respite care, registered nursing or licensed practical nursing care, transitional care for the facilitation of transitions to a home or other appropriate setting and reunion of families, medical day care, weekend camps, and diagnostic studies typically done in the home setting."

SECTION 3.

Code Section 49-2-14.1 of the Official Code of Georgia Annotated, relating to background check requirements for certain facilities, is amended by revising paragraph (4) of subsection (a) as follows:

"(4) 'Facility' means a:

(A) Personal care home required to be licensed or permitted under Code Section 31-7-12;

(B) Private home care provider required to be licensed under Article 13 of Chapter 7 of Title 31;

- 1 (C) Community living arrangement subject to licensure under paragraph (16) of
2 subsection (b) and subsection (c) of Code Section 37-1-20; or
3 (D) Child welfare agency, ~~including a child-caring institution, child-placing agency,~~
4 ~~and maternity home~~ required to be licensed under Code Section 49-5-12."

- 5 **SECTION 4.**
6 All laws and parts of laws in conflict with this Act are repealed.